

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

Wisconsin Central LTD., the Village of Mundelein, the County of Lake, and the State of Illinois, Department of Transportation. :  
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Stipulated Agreement regarding the installation of an Automated :  
Horn System (AHS system) at the crossings of the Company's :  
track with public highways known as Butterfield Road, Illinois Rte. : T01-0029  
60 (IL 60), Allanson Road, Hawley Street, Park Street, Maple :  
Street (IL. Rte. 176), Dunbar Road, Winchester Road, and :  
Peterson Road, located in/near the Village of Mundelein, Lake :  
County, Illinois, designated as crossings AAR/DOT 689 698N, :  
milepost 37.37M; AAR/DOT 689 699V, milepost 37.50M; :  
AAR/DOT 689 701U, milepost 38.65M; AAR/DOT 689 703H, :  
milepost 39.80M; AAR/DOT 689 704P, milepost 39.94M; :  
AAR/DOT 689 705W, milepost 40.10M; AAR/DOT 689 707K, :  
milepost 40.85M; AAR/DOT 689 709Y, milepost 41.78M; and :  
AAR/DOT 689 710G, milepost 42.38M, respectively.

SECOND SUPPLEMENTAL INTERIM ORDER

By the Commission:

On April 25, 2001, the Illinois Commerce Commission ("Commission") entered its Interim Order in this matter that required, among other things, the Wisconsin Central LTD ("WC") to install an automated horn system at nine crossings in/near the City of Mundelein, Lake County, Illinois. The installations were required to be completed within by August 31, 2001. The cost for the automated horn system for the seven crossings on the local road system was ordered paid 100% by the Grade Crossing Protection Fund ("Fund") with the two crossings on the state system being paid 100% by the Illinois Department of Transportation ("IDOT").

On December 5, 2001, a Supplemental Interim Order was entered by the Commission granting to the WC an extension of time to and including December 31, 2001, within which to complete the automated horn system installation at the nine crossing in the Village of Mundelein. The Supplemental Interim Order further revised the estimates of cost for the installation, including the connection to the existing WC warning devices, of the automated horn system. The increase in cost for the installation of the automated horn system was divided between the Fund and IDOT in the same percentage as contained in the original Interim Order; an increase to the Fund of \$87,061 and to IDOT in the amount of \$29,833.

On March 4, 2002, the WC filed its Supplemental Petition with the Commission requesting a further extension of time to and including May 31, 2002, within which to complete the work as required by the original Interim Order and Supplemental Interim Order, dated April 25, 2001, and December 5, 2001, respectively. The WC states that it has installed the automated horn system at the nine crossings and in early January, 2002, testing of the system was conducted in coordination with members of the Commission's Rail Safety Section. At the direction of Commission staff, adjustments were required to be made to the microphone placement in the horns. WC needs additional time within which to finish the microphone adjustments and conduct follow-up testing prior to the automated horn system being activated.

On March 6, 2002, the Illinois Department of Transportation filed its response to the WC Supplemental Petition stating that it had no objection to the relief as sought by the railroad. In addition, the Rail Safety Section staff has reviewed the Supplemental Petition and has no objection to the entry of a Supplemental Interim Order granted said extension of time to and including May 31, 2002.

The Commission, having given due consideration to the Supplemental Petition and to the entire record herein, finds that:

- 1) the Commission has jurisdiction over the parties and the subject matter of this proceeding;
- 2) the prefatory portion of this Supplemental Interim Order is true and correct and shall remain in full force and effect except as herein modified;
- 3) an extension of time to and including May 31, 2002, should be granted to WC within which to complete the work as required by the original Interim Order and Supplemental Interim Order dated April 25, 2001, and December 5, 2001, respectively;
- 4) all other terms and conditions of the original Interim Order and Supplemental Interim Order dated April 25, 2001, and December 5, 2001, respectively, shall remain in full force and effect except as herein modified.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that an extension of time to and including May 31, 2002, be, and it is granted, to Wisconsin Central, LTD, within which to complete the work of modification to the automated horn system at the nine aforementioned crossings in/near the Village of Mundelein, Lake County, Illinois.

IT IS FURTHER ORDERED that all other terms and conditions of the original Interim Order and Supplemental Interim Order, dated April 25, 2001, and December 5,

2001, respectively, are true and correct and shall remain in full force and effect except as herein modified.

IT IS FURTHER ORDERED that, subject to Sections 18c-2201 and 18c-2206 of the Law, this is a final decision of the Commission subject to Administrative Review Law.

By Order of the Commission this 27<sup>th</sup> day of March, 2002.

*Richard P. Mathias*<sup>3</sup>

Chairman

JUDGE
SECTION CHIEF <i>mes</i>
ORDERS SUPERVISOR <i>[Signature]</i>